

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOMUS, INC.	:	CIVIL ACTION
	:	NO. 10-1654
v.	:	
	:	
DAVIS-GIOVINAZZO CONSTRUCTION	:	
CO., INC., et al.	:	

ORDER

AND NOW, this 22nd day of August, 2011, following a bench trial and upon consideration of the briefs of the parties, it is ORDERED that:

1. The arbitration award issued by the American Arbitration Association in the matter of the arbitration between Davis-Giovinazzo Construction Company, Inc. and Domus, Inc., AAA No. 14 110 J 0184308, is CONFIRMED;
2. With respect to Count I of Domus's complaint, seeking interpleader, JUDGMENT IS ENTERED in favor of interpleader defendant Susquehanna Bank. On or about September 21, 2011, provided that no Notice of Appeal has been filed in this action, the Clerk of Court shall disburse to Susquehanna Bank all of the interpled fund in this action plus any interest earned during the period of the interpleader, less a fee in the amount of 10% of any such interest, which is payable to the Clerk of Court;¹

¹ As is set forth on page 120 of the Clerk's Office Procedural Handbook (June 2011) for the Eastern District of Pennsylvania, a fee in the amount of 10% of the annual interest accrued is charged to cover the Court's costs in handling registry funds.

3. JUDGMENT IS ENTERED in favor of Susquehanna Bank and against Domus, Inc. in the amount of \$4,296.24 for interest accruing on the arbitration award prior to Domus's deposit of the interpled fund with the Court;
4. Plaintiff Domus, Inc. is discharged from any further liability to defendants with regard to its obligations to DCG with respect to the Vaux Project subcontract;
5. The motion of defendant Great American Insurance Company to Strike Post-Trial Evidence of Defendant Susquehanna Bank is DENIED; and
6. The parties shall bear their own counsel fees and costs.

Upon disbursement of the interpled fund, the Clerk of Court is DIRECTED to close this case statistically.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.